


# COUNTY OF YORK

## MEMORANDUM

**DATE:** May 2, 2006 (BOS Mtg. 5/16/06)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Proposed Amendment to Regional Jail Agreement

Over the course of the past several years, the Board of Supervisors has amended the County Code to allow the Sheriff's Department to issue summons for certain traffic and other violations under County ordinance rather than state law. This has allowed the fines and fees associated with these violations to come to the County rather than having to share them with the state. This also means that if an individual is incarcerated at the regional jail for one of these offenses, the Jail is not entitled to the usual state reimbursement for housing the prisoner. The County has been reimbursing the Jail for the difference between the reduced state reimbursement and the usual state reimbursement. The amount of additional funds received from the additional fines and fees coming to the County has more than offset the amount paid to the Jail to cover the loss of state revenue that would have been received had charges been placed under state code.

The Jail and the member jurisdictions amended the Cooperative Services Agreement governing the Jail in 2005 to change from a per diem reimbursement system to a reimbursement system based on each jurisdiction's average percentage of the prisoner population on a rolling basis. In making this change of eliminating per diem billing, the mechanism for the Jail billing for the revenue shortfall described above was inadvertently eliminated. In order to allow for separate billing to the localities for the share of the jail costs that would otherwise have been borne by the state, it is necessary to amend the agreement.

Proposed Resolution R06-73, to amend the Cooperative Services Agreement to allow for billing the localities for the costs not covered by the state for prisoners charged under local ordinance is attached for the Board's consideration. James City County, Poquoson, and Williamsburg have passed similar resolutions and staff, and I recommend the proposed Resolution R06-73 to allow this amendment.

Barnett/3440:sw  
Attachments

- Amendment to Cooperative Services Agreement
- Resolution R06-73